

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

1-41-74-SPL(5)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of Home Affairs, Notification no. F.1/29/68-GP dated the 29th June, 1968, the Administrator of Goa, Daman and Diu is pleased to make the following rules regulating the Recruitment of persons to Class I teaching posts in the Government Polytechnic under the Government of Goa, Daman and Diu.

1. **Short title.**—These rules may be called Goa Government, Class I Gazetted teaching posts Recruitment Rules, 1975.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.**—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Central Government from time to time; and
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. **Power to relax.**—Where the Administrator is of the opinion that it is necessary or expedient so to do, he may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules in respect of any category of persons/posts.

6. These rules shall come into effect from the date of their publication and will relate to appointments to the various posts made on or after this date.

7. This issues with the concurrence of the U. P. S. C. vide their letter No. F.3/29(6)/74-RR dated 15th May, 1975.

T. Kipgen
Chief Secretary

Panaji, 9th July, 1975.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Officer-in-Charge of Training & Placement.	One	General Central Service Class I Gazetted	Rs. 700-40-1100-50/2-1150. (Pre-revised)	Selection	40 years (Relaxable for Government servants)	<p>Essential:</p> <p>i. Second Class degree in Engineering or Technology of a recognised University/Institution or Equivalent.</p> <p>ii. Five years professional/teaching experience.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p> <p>Desirable:</p> <p>Experience in the field of Industrial Training and Placement.</p>	Age: No Educational Qualifications: Yes	Two years	By promotion failing which by direct recruitment.	Promotion: Lecturers with 5 years service in the grade rendered after appointment thereto on a regular basis.	Class I As required	under the Union Public Service Commission (Exemption from Consultation) Regulations, 1958.
2. Head of Department, Private Secretarial Practice & Stenography.	One	— do —	— do —	— do —	— do —	<p>Essential:</p> <p>i. Second Class Master's degree in English or Commerce of a recognised University or equivalent.</p> <p>ii. 5 years professional/teaching experience.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p>	— do —	— do —	— do —	Promotion: Lecturers in English or Commerce with 5 years service in the grade rendered after appointment thereto on a regular basis.	— do —	— do —

	Rs. 400-400-Not applicable	35 years (Relaxable for Government servants)	Essential:	Not applicable	Two years	By direct recruitment.	Not applicable.	Not As required under the Union Public Service Commission (Exemption from Consultation) Regulations, 1958.
3/ Lecturer	Four	General Central Service Class I Gazetted						
i. English	1							
ii. Commerce	1							
iii. General Science	1							
iv. Mathematics	1							

Notification

1-41-74-SPL(5)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to Class II Gazetted post of Welding and Fabrication Technician in the Government Polytechnic under the Government of Goa, Daman and Diu.

1. Short title.—These rules may be called Goa Government, Welding and Fabrication Technician in Government Polytechnic Class II Gazetted post Recruitment Rules, 1975.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. Number, classification and scale of pay. — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment of the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointment to the various posts made on or after this date.

6. This issues with the concurrence of U. P. S. C. under their letter No. F.3/29(6)/74-RR dated 15th May, 1975.

T. Kipgen
Chief Secretary

Panaji, 9th July, 1975.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer grades from which promotion/deputation/transfer is to be made	If a DFC exists, what is to be considered in its composition making recruitment	Circumstances in which U. P. S. C. is to be considered in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
Welding and Fabrication Technician	One	General Central Service Class II Gazetted	Rs. 325-15-475-EB-20-575 (Pre-revised)	Not applicable	30 years (Relaxable for Government servants)	<p>Essential:</p> <p>i. Diploma in Electrical/Mechanical/Welding Technology from a recognised Institution.</p> <p>ii. Three years professional experience in Welding and Fabrication.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p>	Not applicable	Two years	By direct recruitment.	Not applicable.	Not applicable	As required under the Union Public Service Commission (Exemption from Consultation) Regulations, 1958.

Finance Department (Expenditure)

Memorandum

3-88/67/Fin(Exp)

The Government of India, Ministry of Home Affairs, New-Delhi, in their letter No. 14025/12/73-GP dated 19th July, 1975 have decided that for the entries, concerning the post of Bailiff appearing on page 1 of the Annexure to their letter No. 1-117/65-G.P. dated the 15th January, 1966 (published in the Government Gazette, Series I, No. 46 dated 11th February, 1966) the following shall be substituted:—

Designation of post	Pay Rs.	Designation	Scale of pay
Bailiff	388.32	Bailiff	1. Rs. 110-3-131-4-155-EB-4-175-5-180. (For existing incumbents only).
Bailiff	366.66		
Bailiff	333.33		
Bailiff	291.66		
Bailiff	266.66		
Bailiff	216.66		2. Rs. 80-1-85-2-95-EB-3-110 (For future entrants).

S. S. Sukthanker, Under Secretary (Finance).

Panaji, 5th August, 1975.

Law and Judiciary Department

Notification

LD/1966/75

The following Central Acts which were recently passed by the Parliament and assented to by the President of India are hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 2nd June, 1975.

The Constitution (Thirty-Sixth Amendment) Act, 1975

AN

ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. (1) **Short title and commencement.**— This Act may be called the Constitution (Thirty-sixth Amendment) Act, 1975.

(2) It shall be deemed to have come into force on the date on which the Bill for this Act [introduced in the House of the People as the Constitution (Thirty-eighth Amendment) Bill, 1975], as passed by the House of the People, is passed by the Council of States.

2. **Amendment of First Schedule.**— In the First Schedule to the Constitution, under the heading

"I. THE STATES", after entry 21, the following entry shall be inserted, namely:—

"22. Sikkim The territories which immediately before the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, were comprised in Sikkim."

3. Insertion of new article 371F. — After article 371E of the Constitution, the following article shall be inserted, namely:—

"371F. Special provisions with respect to the State of Sikkim. — Notwithstanding anything in this Constitution, —

(a) the Legislative Assembly of the State of Sikkim shall consist of not less than thirty members;

(b) as from the date of commencement of the Constitution (Thirty-sixth Amendment) Act, 1975 (hereafter in this article referred to as the appointed day) —

(i) the Assembly for Sikkim formed as a result of the elections held in Sikkim in April, 1974 with thirty-two members elected in the said elections (hereinafter referred to as the sitting members) shall be deemed to be the Legislative Assembly of the State of Sikkim duly constituted under this Constitution;

(ii) the sitting members shall be deemed to be the members of the Legislative Assembly of the State of Sikkim duly elected under this Constitution; and

(iii) the said Legislative Assembly of the State of Sikkim shall exercise the powers and perform the functions of the Legislative Assembly of a State under this Constitution;

(c) in the case of the Assembly deemed to be the Legislative Assembly of the State of Sikkim under clause (b), the references to the period of five years in clause (1) of article 172 shall be construed as references to a period of four years and the said period of four years shall be deemed to commence from the appointed day.

(d) until other provisions are made by Parliament by law, there shall be allotted to the State of Sikkim one seat in the House of the People and the State of Sikkim shall form one parliamentary constituency to be called the parliamentary constituency for Sikkim;

(e) the representative of the State of Sikkim in the House of the People in existence on the appointed day shall be elected by the members of the Legislative Assembly of the State of Sikkim;

(f) Parliament may, for the purpose of protecting the rights and interests of the different sections of the population of Sikkim make provision for the number of seats in the Legislative Assembly of the State of Sikkim which may be filled by candidates belonging to such sections and for the delimitation of the assembly constituencies from which candidates belonging to such sections alone may stand for election to the Legislative Assembly of the State of Sikkim;

(g) the Governor of Sikkim shall have special responsibility for peace and for an equitable

arrangement for ensuring the social and economic advancement of different sections of the population of Sikkim and in the discharge of his special responsibility under this clause, the Governor of Sikkim shall, subject to such directions as the President may, from time to time, deem fit to issue, act in his discretion;

(h) all property and assets (whether within or outside the territories comprised in the State of Sikkim) which immediately before the appointed day were vested in the Government of Sikkim or in any other authority or in any person for the purposes of the Government of Sikkim shall, as from the appointed day, vest in the Government of the State of Sikkim;

(i) the High Court functioning as such immediately before the appointed day in the territories comprised in the State of Sikkim shall, on and from the appointed day, be deemed to be the High Court for the State of Sikkim;

(j) all courts of civil, criminal and revenue jurisdiction, all authorities and all officers, judicial, executive and ministerial, throughout the territory of the State of Sikkim shall continue on and from the appointed day to exercise their respective functions subject to the provisions of this Constitution;

(k) all laws in force immediately before the appointed day in the territories comprised in the State of Sikkim or any part thereof shall continue to be in force therein until amended or repealed by a competent Legislature or other competent authority;

(l) for the purpose of facilitating the application of any such law as is referred to in clause (k) in relation to the administration of the State of Sikkim and for the purpose of bringing the provisions of any such law into accord with the provisions of this Constitution, the President may, within two years from the appointed day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon, every such law shall have effect subject to the adaptations and modifications so made, and any such adaptation or modification shall not be questioned in any court of law;

(m) neither the Supreme Court nor any other court shall have jurisdiction in respect of any dispute or other matter arising out of any treaty, agreement, engagement or other similar instrument relating to Sikkim which was entered into or executed before the appointed day and to which the Government of India or any of its predecessor Government was a party, but nothing in this clause shall be construed to derogate from the provisions of article 143;

(n) the President may, by public notification, extend with such restrictions or modifications as he thinks fit to the State of Sikkim any enactment which is in force in a State in India at the date of the notification;

(o) if any difficulty arises in giving effect to any of the foregoing provisions of this article, the President may, by order, do anything (including any adaptation or modification of any other

article) which appears to him to be necessary for the purpose of removing that difficulty:

Provided that no such order shall be made after the expiry of two years from the appointed day;

(p) all things done and all actions taken in or in relation to the State of Sikkim or the territories comprised therein during the period commencing on the appointed day and ending immediately before the date on which the Constitution (Thirty-sixth Amendment) Act, 1975, receives the assent of the President shall, in so far as they are in conformity with the provisions of this Constitution as amended by the Constitution (Thirty-sixth Amendment) Act, 1975, be deemed for all purposes to have been validly done or taken under this Constitution as so amended."

4. Amendment of Fourth Schedule.—In the Fourth Schedule to the Constitution, in the Table,—

(a) after entry 21, the following entry shall be inserted, namely:—

"22. Sikkim I";

(b) existing entries 22 to 25 shall be renumbered as entries 23 to 26 respectively;

(c) for the figures "231", the figures "232" shall be substituted.

5. Consequential amendments.—The following consequential amendments shall be made in the Constitution, namely:—

(a) article 2A shall be omitted;

(b) in article 80, in clause (1), the words and figure "Subject to the provisions of paragraph 4 of the Tenth Schedule," shall be omitted;

(c) in article 81, in clause (1), the words and figure "and paragraph 4 of the Tenth Schedule" shall be omitted;

(d) the Tenth Schedule shall be omitted.

The Constitution (Thirty-Seventh Amendment) Act, 1975

AN

ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Constitution (Thirty-Seventh Amendment) Act, 1975.

2. Amendment of article 239A.—In article 239A of the Constitution, in clause (1), for the words "Pondicherry and Mizoram", the words "Pondicherry, Mizoram and Arunachal Pradesh" shall be substituted.

3. Amendment of article 240.—In article 240 of the Constitution, in clause (1), in both the provisos, for the words "Pondicherry or Mizoram", the words "Pondicherry, Mizoram or Arunachal Pradesh" shall be substituted.